

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. No.: 1957-01
Bill No.: HB 777
Subject: Attorneys; Crimes and Punishment; Criminal Procedure
Type: Original
Date: March 14, 2001

FISCAL SUMMARY

ESTIMATED NET EFFECT ON STATE FUNDS			
FUND AFFECTED	FY 2002	FY 2003	FY 2004
Total Estimated Net Effect on <u>All</u> State Funds	\$0	\$0	\$0

ESTIMATED NET EFFECT ON FEDERAL FUNDS			
FUND AFFECTED	FY 2002	FY 2003	FY 2004
Total Estimated Net Effect on <u>All</u> Federal Funds	\$0	\$0	\$0

ESTIMATED NET EFFECT ON LOCAL FUNDS			
FUND AFFECTED	FY 2002	FY 2003	FY 2004
Local Government	\$0	\$0	\$0

Numbers within parentheses: () indicate costs or losses.

This fiscal note contains 3 pages.

FISCAL ANALYSIS

ASSUMPTION

Officials from the **Department of Revenue** assume this bill modifies the definition of an intoxication related traffic offense by allowing municipal and county convictions that were tried by a judge who is not an attorney to be used for enhancing criminal penalties for subsequent convictions. This bill does not affect the Department of Revenue.

Officials from the **Office of Prosecution Services** assume any additional costs resulting from this proposal would be minimal and could be absorbed from existing resources.

Officials from the **Office of State Public Defender** assume that existing staff could provide representation for those cases arising where indigent persons were charged with an intoxication-related offense even if the judge in such cases was not an attorney. However, passage of more than one similar bill would require the State Public Defender System to request increased appropriations to cover cumulative cost of representing the indigent accused in the additional cases.

<u>FISCAL IMPACT - State Government</u>	FY 2002 (10 Mo.)	FY 2003	FY 2004
	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>
<u>FISCAL IMPACT - Local Government</u>	FY 2002 (10 Mo.)	FY 2003	FY 2004
	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>

FISCAL IMPACT - Small Business

No direct fiscal impact to small businesses would be expected as a result of this proposal.

DESCRIPTION

This proposal would make technical revisions to the felony enhancement provisions for alcohol-related driving offenses. This proposal removes the requirement that the judge in such case be an attorney.

This legislation is not federally mandated, would not duplicate any other program and would not require additional capital improvements or rental space.

SOURCES OF INFORMATION

Office of Prosecution Services
Office of State Public Defender
Department of Revenue

NOT RESPONDING

Office of State Courts Administrator
Office of the Attorney General
Department of Corrections

A handwritten signature in black ink, appearing to read "Jeanne Jarrett". The signature is stylized with a large initial "J" and a cursive script.

Jeanne Jarrett, CPA
Director
March 14, 2001